

REMARKS

Claims 1, 18, and 26-44 are pending in this application. Claims 2-17 and 19-25 have been canceled. Claims 26-44 have been added.

The Office Action dated April 2, 2004, and the references cited therein, have been received and carefully reviewed. In that Office Action, claims 2, 4, 7, 9, 12, 18, 19, 21 and 23-25 were rejected under 35 U.S.C. 112, second paragraph as being indefinite. By the above amendment claims 2, 4, 7, 9, 12, 19, 21 and 23-25 have been cancelled.

Claim 18, which depends from claim 1 and is rejected under 35 U.S.C. 112, second paragraph, appears to clearly define the present invention. No specific basis for rejecting this claim under 35 U.S.C. 112, second paragraph, is presented in the Office Action, and thus, the rejection of claim 18 for being indefinite is respectfully traversed.

Claims 2 and 24 are rejected under 35 U.S.C. 102(b) as being anticipated by GB 2,344,064. Claims 2 and 24 have been canceled by the above amendment.

Claim 1 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Nozaki in view of Hayashi. Hayashi, however, is not a door glass run, and is not directed to the problems addressed by the claimed invention. Nozaki alone does not show or suggest the invention required by claim 1, and it is

therefore submitted that claim 1 is allowable over the prior art.

Claim 1 requires a notch having a depth equal to or less than 0.5 mm. While Nozaki includes a notch, the Office Action acknowledges that Nozaki is silent regarding the depth of the notch. Hayashi is cited to show a notch that is 0.5 mm deep. Hayashi, however, is not a door glass run as stated in the Office Action. Hayashi discloses a weather strip that seals a door in an automobile door frame. The weather strip includes an opening that receives a metal flange, and one of the elements that engages the metal flange has a 0.5 mm notch. The purpose of this notch is to make one of the lips easier to rip off by hand (column 3, lines 22-25).

The notch required by claim 1 beneficially has specific dimensions for the reasons provided in the specification. The notch is not provided to make the lip easier to rip off. It is respectfully submitted that Hayashi provides no motivation to configure a door glass run in any particular manner because it is directed to a different problem and a different product. It is therefore respectfully submitted that claim 1 patentably distinguishes over these reference.

Claim 18 depends from claim 1 and is therefore submitted to be allowable for the same reasons as claim 1.

Newly added claim 44 also requires a door glass run having a notch. Specifically, claim 44 requires a door glass run comprising a body having a substantially U-shaped cross section and including a bottom wall and first and second legs projecting from the bottom wall, the first and second legs each having an end portion, first and second lips extending from the first and second end portions toward the bottom wall, the first lip having a proximal end connected to the first leg end portion, a distal end portion and a center portion between the distal end portion and the proximal end, the first and second lips adapted to slidably engage the door glass. Claim 44 further requires that the first leg has a concave notch adjacent and partially defined by the proximal end of the first lip, the notch having a depth less than or equal to 0.5 mm. Nozaki shows a notch in a lip 44 projecting from sidewall 42 rather than in the sidewall itself. As discussed in connection with claim 1 there is no motivation to combine Nozaki and Hayashi, and therefore, the present claim patentably distinguishes over the prior art as well.

New claims 26-44 are also submitted to be allowable over the prior art. Claim 26 requires a door glass run attached to a door sash of a vehicle for sealing between the door sash and a door glass, comprising a door glass run body having a substantially U-shaped cross section and including a bottom wall and first and second legs projecting from the bottom wall, the first and second

legs each having an end portion, first and second lips extending from the first and second end portions toward the bottom wall, the first lip having a proximal end connected to the first leg end portion, a distal end portion, and a center portion between the distal end portion and the proximal end, the first and second lips adapted to slidably engage the door glass, a portion of the first leg defining a protrusion having an arcuate first-lip engaging surface, the protrusion being configured to prevent the distal end portion from contacting the door glass when the first lip central portion engages the door glass.

Keys includes a projection on a sidewall, but the sidewall of Keys does not have an arcuate first lip engaging surface as required by claim 26. The configuration of Keys therefore leaves a significant portion of lip 28 in contact with glass 14, undesirably increasing friction between glass 14 and lip 28.

GB 2,334,064 includes a round, rod shaped auxiliary member 37 in a corner portion of the door where the top of the window frame meets the side of the window frame to increase rigidity. As noted on page 6 of the GB reference, when using member 37, "...the resistance to move the window glass plate WG up and down is increased. Hence, the above-described means is not suitable for eliminating the aforementioned trouble." Member 37 is not a portion of the first leg defining a protrusion as required by claim 1 but rather a separate element inserted into the glass run to

increase rigidity in a corner portion thereof. There is no suggestion that this member be formed from the same material as the door glass run, and the reference teaches against the use of any such member because it increases resistance to glass movement. For these reasons, it is respectfully submitted that claim 26 distinguishes over this reference.

Nozaki shows an element 46 that is formed from a different material than the material of side wall 42 and thus does not comprises a protrusion defined by the sidewall. Moreover, element 46 must be compressible to accommodate lip 44 because lip 44 is thicker than the space between glass 3 and element 46. It also appears that lip 44 will contact sidewall 42 and that lip 45 will separate from glass 3 when the glass moves upwardly as viewed in Figure 3 contrary to other limitations of claim 26. Claim 26 is submitted to distinguish over this reference as well.

Claim 26 distinguishes over the above references individually for the reasons provided above. Furthermore, no combination of these references show or suggest the invention required by claim 26. For this reason, it is respectfully submitted that claim 26 and its dependent claims 27-31 are allowable over the prior art.

Claim 32 is also submitted to be allowable over the prior art. Claim 32 requires a door glass run attached to a door sash of a vehicle for sealing between the door sash and a door glass, comprising a door glass run body having a substantially U-shaped

cross section and including a bottom wall and first and second legs projecting from the bottom wall, the first and second legs each having an end portion, and first and second lips extending from the first and second end portions toward the bottom wall, the first lip having a proximal end connected to the first leg end portion and a distal end portion and a center portion between the distal end portion and the proximal end, the first and second lips adapted to slidably engage the door glass, the first lip being configured to maintain contact with the door glass when the door glass presses the second lip against the second leg, the second lip being configured to maintain contact with the door glass when the door glass presses the first lip against an arcuate first-lip engaging protrusion on the first leg, the first leg protrusion being configured to prevent the distal end portion from contacting the first leg or the door glass when the first leg center portion engages the door glass.

Keys shows a lip 28 that contacts a door glass 14 over its entire length. In other words, the distal end portion of lip 28, as well as the rest of lip 28, is in contact with glass 14. Thus, Keys does not disclose a protrusion configured to prevent the distal end portion from contacting the first leg or the door glass as required by claim 32. The arrangement of Keys thus disadvantageously increases friction between lip 28 and door glass 14. Keys does not show or suggest the structure required by claim

32, and claim 32 is submitted to be allowable over Keys for at least this reason.

GB 2,344,604 shows, in Fig. 6, a glass run having lips 34 and 33. However, it appears from this reference that lip 34 will separate from glass WG when glass WG presses lip 33 against the right hand side of the door run (as viewed in Fig. 6). Note, for example, the position of lip 34 in Fig. 3 when glass WG is not present. For this reason, GB 2,344,604 does not show or suggest a first lip configured to maintain contact with the door glass when the door glass presses a second lip against a second leg or a second lip configured to maintain contact with the door glass when the door glass presses a first lip against a first leg as required by claim 32.

Nozaki shows a lip 45 that will separate from door glass 3 when door glass 3 moves to the left as viewed in Fig. 3 of Nozaki. Moreover, lip 44 of Nozaki appears likely to come into contact with side wall 40 when glass 3 moves to the left because element 46 must be compressible to allow glass 3 to enter the glass run as discussed above. Claim 32 is submitted to distinguish over Nozaki for at least these reasons.

Claim 32 distinguishes over the above references individually for the reasons provided above. Furthermore, no combination of these references show or suggest the invention required by claim

32. For this reason, it is respectfully submitted that claim 32 and its dependent claims 33-37 are allowable over the prior art.

Claim 38 requires a door glass run attached to a door sash of a vehicle for sealing between said door sash and a door glass, comprising a door glass run body having a substantially U-shaped cross section and including a bottom wall and first and second legs projecting from said bottom wall, said first and second legs each having an end portion, first and second lips extending from said first and second end portions toward said bottom wall, said first lip having a proximal end connected to said first leg end portion and a distal end portion and a center portion between said distal end portion and said proximal end, said first and second lips adapted to slidably engage the door glass, a portion of said first leg defining a protrusion having an arcuate first-lip engaging surface, said protrusion being configured to engage said first lip when said first leg engages said door glass.

Keys includes a projection on a sidewall, but the sidewall of Keys does not have an arcuate first lip engaging surface as required by claim 38. The configuration of Keys therefore leaves a significant portion of lip 28 in contact with glass 14, undesirably increasing friction between glass 14 and lip 28.

GB 2,334,064 includes a round, rod shaped auxiliary member 37 in a corner portion of the door where the top of the window frame meets the side of the window frame to increase rigidity. As noted



on page 6 of the GB reference, when using member 37, "...the resistance to move the window glass plate WG up and down is increased. Hence, the above-described means is not suitable for eliminating the aforementioned trouble." Member 37 is not a portion of the first leg defining a protrusion as required by claim 38 but rather a separate element inserted into the glass run to increase rigidity in a corner portion thereof. There is no suggestion that this member be formed from the same material as the door glass run, and the reference teaches against the use of any such member because it increases resistance to glass movement. For these reasons, it is respectfully submitted that claim 42 distinguishes over this reference.

Nozaki shows an element 46 that is formed from a different material than the material of side wall 42 and thus does not comprises a protrusion defined by the sidewall as required by claim 42. Claim 38 is submitted to distinguish over this reference as well.

Claim 38 distinguishes over the above references individually for the reasons provided above. Furthermore, no combination of these references show or suggest the invention required by claim 38. For this reason, it is respectfully submitted that claim 2 and its dependent claims 39-43 are allowable over the prior art.

Each issue raised in the Office Action dated April 2, 2004, has been addressed, and it is submitted that claims 1, 18, and 26-

44 are now in condition for allowance. Wherefore reconsideration and allowance of these claims is earnestly solicited.

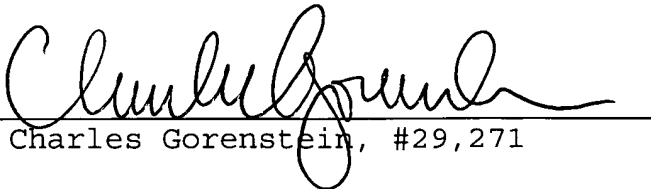
Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Wakeman (Reg. No. 37,750) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By   
Charles Gorenstein, #29,271

CG/STW/mag  
1602-0173P

P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000

(Rev. 02/12/2004)